

**any way the storage of a contribution database for all wing automatic and anonymous charity contributions.** Thus, even the references combined would not meet the claim. Furthermore, the synergism of the whole is greater than the parts, even though some of the parts are used in the other systems. Thus, novel physical distinctions are unobvious under §103.

In regards to claim 3, the Examiner states that Von Bergen does not specifically mention any restrictions on the use of the gift certificates, but goes on to refer to Fleming, who mentions allowing the parent to restrict the number of purchases made by a child. The Examiner uses the combination, to disallow claim 3, although the references take only a single approach. In the Fleming system, the limitation is only by the number of purchases. **In the proposed system, limitations can also be placed by a) category of product or service; b) age range; c) date range; d) and merchant.** Thus, even the references combined would not meet the claim. Furthermore, the synergism of the whole is greater than the parts, even though some of the parts are used in the other systems. Thus, novel physical distinctions are unobvious under §103.

In regards to claims 4 and 5, the Examiner states that Von Bergen does not specifically mention tracking the use of the gift certificate, but goes on to refer to Fleming, who mentions a parents account statement. **In the Fleming system, the parent account statement is a static list, whereas in the proposed system, the claim encompasses a dynamic query whereby the user can search for transactions based on different criteria.** Thus, even the references combined would not meet the claim. Furthermore, the synergism of the whole is greater than the parts, even though some of the parts are used in the other systems. Thus, novel physical distinctions are unobvious under §103.

In regards to claim 10, the Examiner stated that it was rejected based on the argument of claims 4 and 5 above although claim 10 is not related. Thus, the applicant requests the Examiner removes the objection to claim 10.

In regards to claims 11,12,13,14,15, and 16, the Examiner states that Von Bergen does not specifically mention the restrictions of these claims. **Although it is well known in the art to place limitations on credit and debit cards, none of these restrictions are currently used in this manner.** Thus the results achieved by this invention are new, unexpected, superior, unusual, and/or surprising. Likewise, up to this time, **those skilled in the art found the problem solved by this invention to be insoluble using standard plastic credit cards.** In fact, except for placing a limit on the amount of transactions, these limitations solve an unrecognizable problem up to this time. Thus the prior-art references do not contain any suggestion (express or implied) that they be combined, or that they be combined in the manner suggested. Even though Fleming mentions a method of restriction, the Examiner has not presented a convincing line of reasoning as to why any type of restriction that is invented later is invalid. Thus, even the references combined would not meet the claim. Furthermore, the synergism of the whole is greater than the parts, even though some of the parts are used in the other systems. Thus, novel physical distinctions are unobvious under §103.

- B. The Examiner rejected claims 19-22 under 35 U.S.C. 103(a) as being unpatentable over US 5,914,472, herein referred to as Foladare, and further in view of Von Bergen.

In regards to claims 19-22, the Examiner states that the combination of Foladare and Von Bergen would imply the use of residual funds from gift certificates being donated to charities. But, the **applicant's invention takes a different approach in that automatic and reoccurring anonymous contributions can be made to charities from a subscriber's account.** Thus, even the references combined would not meet the claim. Thus, novel physical distinctions are unobvious under §103.

- C. The claims of 2, 6, 7, 8, and 9 have been rejected although the Examiner has made no argument against them. Thus, the applicant requests the Examiner to remove the objections to these claims.